

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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IN REPLY REFER TO:
1800B3-MFW/MJF

Howard J. Braun, Esq.
Rosenman & Colin
1300 19th Street, N.W.
Washington, D.C. 20036

12 MAY 1993

DISPATCHED BY

In re: WCKX(FM), London, Ohio
Sunrise Broadcasting
of Ohio, Inc. ("Sunrise")
BMPH-890830IF
Request for Compliance with Main
Studio Rule

Dear Mr. Braun:

This letter refers to: (i) the application (File No. BMPH-890830IF) for waiver of the Commission's "main studio" rule, 47 C.F.R. § 73.1125, to permit station WCKX(FM), London, Ohio to operate with its main studio at 696 East Broad Street, Columbus, Ohio;¹ and (ii) your filing on behalf of Sunrise, the current licensee of Radio Station WCKX(FM), submitted on April 10, 1992 and supplemented on August 26, 1992, which requests that the Commission find the current WCKX(FM) main studio at 510 East Mound Street, Columbus, to be in compliance with Section 73.1125 based upon supplemental engineering information submitted therewith.²

The applicable principal community contour for FM stations is to be determined based upon the predicted (as opposed to actual) field strength in all cases. Memorandum Opinion and Order in MM Docket 86-406, 3 FCC Rcd 5024, 5028 (1988). Prediction of coverage is governed by 47 C.F.R. § 73.313, which permits supplemental engineering showings when "the terrain in one or more directions from the antenna site departs widely from the average elevation of the 3 to 16 kilometer sector." The supplemental engineering data submitted with your April 10, 1992 request is based upon the National Bureau of Standards' Technical Note 101, "Transmission Loss Predictions for Tropospheric Communication Circuits, Volumes I and II," created by Philip L. Rice, Anita G. Longley, and Kenneth A. Norton. While this program has in the past been an accepted supplemental method of predicting service contours, its utility here rests upon a demonstration that there is a wide variation in terrain such that the normal prediction methods listed in Section 73.313 would be inaccurate.

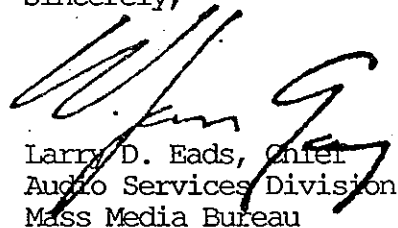
¹ The application was filed by the station's prior licensee, WCKX Enterprises. On October 23, 1989, William C. Kraner (a mutually exclusive applicant with Sunrise and the WCKX license renewal) filed an informal objection to the proposal. Franklin Communications, Inc., licensee of Stations WVKO/WSNY(FM), Columbus, filed an informal objection on December 1, 1989. WCKX Enterprises filed an opposition to Kraner's informal objection on December 1, 1989.

² You state in your April 10, 1992 letter that WCKX(FM)'s present main studio is located at 510 East Mound Street, Columbus, Ohio, not 696 East Broad Street, Columbus, Ohio, which was erroneously stated as the studio's address in Sunrise's December 6, 1991 STA request and then repeated in the Commission's January 10, 1992 STA grant.

Sunrise's April 10, 1992 request for the Commission's confirmation of compliance with the main studio rule, 47 C.F.R. § 73.1125, included a NBS Technical Note 101 study of WCKX(FM)'s facilities with an effective radiated power (ERP) of 3.0 kilowatts and an antenna height above average terrain (HAAT) of 100 meters as authorized by construction permit BPH-891011MM.³ The engineering study showed that the distance to its 70 dBu field strength contour as calculated by using NBS Technical Note 101 exceeds the distance to its 70 dBu field strength contour as calculated using the F(50,50) propagation curves by approximately 214 percent along the 78 degree azimuth from the WCKX(FM) transmitter site in the direction of the 510 East Mound Street main studio. Therefore, Sunrise's engineering showing was referred to the Federal Communications Commission's Office of Engineering and Technology (OET) for a further engineering study which included a detailed propagation analysis. By way of a Memorandum dated July 21, 1992, the OET confirmed that the 510 East Mound Street studio location in Columbus, OH is encompassed by WCKX(FM)'s 70 dBu field strength contour. Therefore, WCKX(FM)'s current main studio location is in compliance with 47 C.F.R. § 73.1125.

Accordingly, the operation of WCKX(FM) as authorized by construction permit BPH-891011MM (3.0 kilowatts ERP at 100 meters HAAT) with its main studio at 510 East Mound Street, Columbus, OH complies with 47 C.F.R. § 73.1125. The application (File No. BMPH-890830IF) for waiver of the main studio rule, along with the informal objections filed by William C. Kraner and Franklin Communications, Inc. ARE DISMISSED AS MOOT. These actions are taken pursuant to 47 C.F.R. § 0.283. We will associate this letter with WCKX(FM)'s license file.

Sincerely,


Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

cc: Radio Station WCKX(FM)
Communications Technologies, Inc.
Haley, Bader & Potts (William C. Kraner)
Kaye, Scholer, Fierman, Hays & Handler (Franklin Communications)

³ On May 12, 1992, construction permit BPH-910905IM was granted. This construction permit authorized WCKX(FM) to increase its ERP to 6.0 kilowatts at an HAAT of 100 meters and utilize a directional antenna. On August 28, 1992, WCKX(FM) filed license application BLH-920828KF to cover construction permit BPH-910905IM and a request to commence program test authority (PTA). On September 16, 1992, the Commission granted PTA for WCKX(FM) to operate with the facilities requested in BLH-920828KF.